

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 10 OF 2011
IN
TESTAMENTARY PETITION NO. 936 OF 2010**

Vilas Mahadeo More ...Plaintiff
Versus
Pooja Prakash Jadhav ...Defendant

Mr Siddhi Bhosale, i/b NK Gandhi for the Plaintiff.

**CORAM: G.S. PATEL, J
DATED: 17th January 2018**

PC:-

1. Heard. Issues are framed and these are appended to this order.
2. The Plaintiff shall, on or before 7th March 2018, file (i) the affidavit(s) of the attesting witness(es) (ii) the evidence affidavit of the Plaintiff; (iii) an affidavit of documents; and (iv) a compilation of documents duly indexed and paginated. Copies of each of these will be served on the advocates for the Defendant on or before that date.

3. Suit to be listed for directions on 14th March 2018. If these directions have not been complied with by then, the suit and the petition will be dismissed on that date. On compliance with these directions as to filing, the matter will be taken up for marking of the Plaintiff's documents and further directions on that day, the fact that it may be listed for directions on that date notwithstanding.

(G. S. PATEL, J.)

ISSUES FRAMED ON 17TH JANUARY 2018

TESTAMENTARY SUIT NO. 10 OF 2011

IN

TESTAMENTARY PETITION NO. 936 OF 2010

1. Whether the Plaintiff proves that the writing dated 18th January 2005 was duly and validly executed and attested in accordance with law as the last Will and Testament of the deceased, Prakash Mahadeo More?
2. Whether the Plaintiff proves that at the time of the said alleged Will, the deceased was of sound and disposing state of mind, memory and understanding?
3. Whether the Defendant proves that the alleged Will was obtained by fraud?
4. What reliefs and what orders?

(G. S. PATEL, J.)